

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Nai-Kong CHEUNG  
U.S. Serial No. : 10/621,027  
Confirmation No.: 2089  
Filed : July 16, 2003  
Examiner : 1623  
Art Unit : Eric Olson  
For : THERAPY-ENHANCING GLUCAN

Law Offices of Albert Wai-Kit Chan, PLLC  
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Whitestone, NY 11357

October 26, 2007

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE)

A Final Office Action was issued on August 7, 2007 in regard to the above-identified application. The three-month deadline to file a Response to the Office Action is November 7, 2007. Therefore, this application is still pending and this Request for Continued Examination is timely filed.

The fee for the RCE is FOUR HUNDRED AND FIVE DOLLARS (\$405.00) for a small entity. Applicants hereby authorize the charge to Deposit Account No. 50-1891. A copy of the Request for Continued Examination Transmittal is attached herein as **Exhibit A** (1 page, in duplicate).

Applicant	: Nai-Kong V. CHEUNG	Atty. Dkt. No.	: 639-B-PCT-US
USSN	: 10/621,027	Art Unit	: 1623
Filed	: July 16, 2003	Date of RCE	: October 26, 2007
Examiner	: Eric Olson		
Page	: 2		

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicant's undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee other than the FOUR HUNDRED AND FIVE DOLLAR (\$405.00) fee for the Request for Continued Examination is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

*Albert Wai-Kit Chan /sk*

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# **EXHIBIT A**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/621,027
Filing Date	July 16, 2003
First Named Inventor	Nai-Kong V. CHEUNG
Art Unit	1623
Examiner Name	Eric Olson
Attorney Docket Number	639-B-PCT-US

## This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
ii. ☐ Other \_\_\_\_\_

- b. ☐ Enclosed

- i. ☐ Amendment/Reply  
ii. ☐ Affidavit(s)/ Declaration(s)  
iii. ☒ Information Disclosure Statement (IDS)  
iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)  
b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.  
The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 50-1891. I have enclosed a duplicate copy of this sheet.

- a. ☒ RCE fee required under 37 CFR 1.17(e)  
i. ☒ RCE fee required under 37 CFR 1.17(e)  
ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)  
iii. ☐ Other \_\_\_\_\_  
b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed  
c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<u>Albert Wai-Kit Chan / PK</u>	Date	October 26, 2007
Name (Print/Type)	Albert Wai-Kit Chan	Registration No.	36,479

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature		Date	
Name (Print/Type)		Date	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# Request for Continued Examination (RCE) Transmittal

Address to:  
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Alexandria, VA 22313-1450

Application Number	10621,027
Filing Date	July 16, 2003
First Named Inventor	Nai-Kong V. CHEUNG
Art Unit	1623
Examiner Name	Eric Olson
Attorney Docket Number	639-B-PCT-US

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- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
ii. ☐ Other \_\_\_\_\_

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<u>Robert Wai-Kit Chan</u>	Date	October 26, 2007
Name (Print/Type)	Albert Wai-Kit Chan	Registration No.	36,479

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